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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,703	04/11/2001	Karl-Hans Holder	DE920000023US1	1678-
7590 12/16/2003			EXAMINER	
IBM Corporation - MS P386 Intellectual Property Law Department 2455 South Road Poughkeepsie, NY 12601			PHAM, KHANH B	
			ART UNIT	PAPER NUMBER
			2177	
			DATE MAILED: 12/16/2003 7	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/832,703

Applicant(s)

HOLDER ET AL.

Examiner

Khanh B. Pham

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The amendment filed October 21, 2003 has been entered. The specification has been amended. Claims 1-2, 5, 9-10 have been amended.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-12 are rejected under 35 U.S.C. 102(e)** as being anticipated by Lennon (US 2003/0208473 A1), hereinafter "Lennon".

As per claims 1, 8, 9, 12, Lennon teaches a method, a computer system having means, a program storage device and a computer program product stored on a computer usable medium, for providing access to resources (See abstract) comprising the steps of:

- "defining physical and/or logical parameters required for locating a desired resource" at page 1, [0009]. (Lennon teaches: "method of browsing electronically-accessible resources using descriptions of said resources, wherein said descriptions of said resources have descriptor components, said descriptor components having attributes representative of at least two axes of

access to the resources and wherein said descriptions have **links to corresponding said electronically-accessible resources**";

- "reading resource-specific information from a resource-specifying source specifying a structure containing said resource" at page 1, [0009]. (Lennon teaches: "said method comprising the steps of: **reading said descriptions**."
- "generating hierarchical control information reflecting said structure using said resource-specific information" at page 9, [0110] and Fig. 2B. (Lennon teaches: "FIG. 1B shows an overview of the method of processing a **description of a resource**. In this method, a serialised description 100B is parsed by a processor 102B which in turn **generates** a representation 104B of the description in memory. The representation 104B is an instance of the **DesOM** of the DDF"; Fig. 2B shows the step of generating DesOM tree from the description of the resource.
- "enabling access to the desired resource by calling a resource access performer with at least one of said parameters and evaluating said control information" at page 1, [0009]. (Lennon teaches: "browsing said descriptions of the resources and their corresponding electronically-accessible **resources** via said **links** using said **displayed items**").

As per claim 2, Lennon teaches the method of claim 1 further comprising the step of: “automatically triggering a semantic evaluation of the contents of a resource desired to be updated when said resource is referenced in calling said resource access performer” at page 9, [0116];

As per claim 3, Lennon teaches the method of claim 1 in which “said resource-specifying source is an XML file” at page 1, [0010].

As per claim 4, Lennon teaches the method of claim 1 in which “said hierarchical control information is defined in a data modeling schema comprising simple data types and at least one composition method for recursively constructing complex data types” at page 11, [0155] and Fig. 5.

As per claim 5, Lennon teaches the method of claim 4 in which said schema describes relations between data stored in one or more of said resources” at page 9, [0116].

As per claim 6, Lennon teaches the method of claim 1 in which “said resources are shared between at least two different operating systems” at page 31, [0428].

As per claim 7, Lennon teaches the method of claim 1 further comprising the step of: “performing extended processing on said resources as defined in a Java class” at page 24, [0359].

As per claim 10, Lennon teaches the computer program of claim 9 as discussed above, further comprising “an application interface for triggering requests for resource data processing from an application” at page 8, [0108] , and “an architected interface for resource access” at page 18, [0263].

As per claim 11, Lennon teaches the computer program of claim 10, in which “said interface comprises one or more calls to at least one resource access performer” at page” at page 23, [0345]-[0348].

Response to Arguments

3. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within ~~TWO MONTHS~~ of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (703) 308-7299. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 746-7240.

Khanh B. Pham
Examiner
Art Unit 2177

KBP
December 9, 2003


JEAN R. HOMERE
PRIMARY EXAMINER